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SUMMARY RECORD OF THE 1406th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 August 2000, at 10 a.m.

Chairman: Mr. SHERIFIS

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GE.00-43702 (E)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 4) (continued)

Initial, second, third and fourth periodic reports of Slovenia (continued) (CERD/C/352/Add.1; HRI/CORE/1/Add.35)

1. At the invitation of the Chairman, the members of the delegation of Slovenia resumed their places at the Committee table.

2. Mr. ZORE (Slovenia), setting recent developments in context, said that under its 1974 Constitution the former Socialist Federal Republic of Yugoslavia had guaranteed a fairly high level of protection for its millions of citizens belonging to ethnic minorities. In Slovenia, two minorities - the Italian and the Hungarian indigenous populations - had been recognized as such since 1948, on the basis of the territorial principle and the principle of homogeneous permanent settlement. As minorities, they had had the right to use their own languages in education, the media and the like, and could elect representatives to the Assembly of the then Socialist Republic of Slovenia, the Government's main aim being to protect their ability to keep and foster their cultural identity and retain equality with the majority. At the time, the Roma had not been recognized as a minority but as an ethnic group, a category that did not require special treatment or assistance. Citizens of the other five federal republics temporarily or permanently resident in Slovenia had been simply regarded as Yugoslav citizens with the usual rights in their own States, such as the use of their own language and the nurturing of their cultural identity, but they could not be identified as members of a cultural minority.

3. With independence in 1991, the key documents of the new Republic of Slovenia - the Declaration of Independence, the Constitutional Charter, the Constitution that soon followed, and the Act on Confirmation of Succession with Respect to Conventions and Statutes and Other International Agreements - had reflected its wish to offer, as an absolute principle, the highest possible protection of minorities on an equal footing with the majority. The numbers to be protected were irrelevant; indeed the smaller the group, the greater the protection. The concept of multi-ethnicity had been generally accepted as the leading principle in the formation of the new nation, rather than the concept of ethnic exclusion as in some of the other former Yugoslav republics; and there had been no thought of doing away with any of the guarantees available under the previous regime. It had thus been easier to develop models of protection and to foster the national identity and culture of citizens of other Yugoslav nations who had remained in Slovenia at the time. The consequence had been a society virtually free of ethnic conflict.

4. The status of Roma had later been elevated from "ethnic group" to "minority" for those Roma who constituted an indigenous group. A separate group of Roma, who had migrated into the country and remained nomadic and fairly distinct from the indigenous Roma, had been treated like all other former Yugoslavs remaining in the country. At the time of the break-up, there had remained a total of 240,000 persons from the other republics, constituting 15 per cent of the population, and the great majority had remained. The new Government had decided to offer a unique quick naturalization option to regulate the status of such people, who had only to prove actual permanent residence in Slovenia prior to independence and to apply for citizenship

within six months of the date of independence. Citizenship had been offered to 171,000 persons in that six-month period, thus transforming Slovenia overnight into a republic where 10 per cent of its citizens had become the so-called "new minorities" with all the usual rights. Since they did not meet the criteria for classification as classical minorities, no special treatment was seen as necessary at the time. His Government stood ready to improve the status and well-being of such citizens through, inter alia, bilateral arrangements with their former Yugoslav republics of origin, arrangements which were proceeding very well, for instance, with Croatia, but seemed impossible with the current regime in Serbia. The solution of the still-pending problem of succession to the former Socialist Federal Republic of Yugoslavia would surely allow for a speedier resolution of the other pending issues regarding treatment and living standards of minorities.

5. Concerning an inconsistency in the Government's characterization of Slovenia's size and level of development, it was debatable if indeed it was a small country: in European terms it was, but in terms of United Nations membership it was not. He himself would characterize Slovenia as a fairly developed country, with a gross domestic product (GDP) of $20 billion and a per capita income of around $10,000.

6. As to any consultations held on the report, all major non-governmental organizations (NGOs) had been given copies of the draft report for comment three months before the final version, but no comments had been received.

7. Mr. HOČEVAR (Slovenia) said that, as indicated in the report (paras. 56 and 131), the Convention, like the other international human rights treaties to which Slovenia was a party, had automatically formed part of Slovenia's internal legal system since ratification in 1967, by virtue of both article 8 and article 153 of the Constitution, which specifically required all legislation, and legislative measures to conform to it. Upon independence, the new Government had in 1992, succeeded to all international treaties in effect.

8. The provisions of the Convention were directly applicable and indeed were already being applied in practice by the Constitutional Court of Slovenia. Its direct application by criminal courts was, however, a different matter, since the Convention contained no applicable penal provisions.

9. As concerned the integration of the European Convention for the Protection of Human Rights and Fundamental Freedoms into the Constitution, and of its 11 subsequent Protocols that Slovenia had also ratified, that Convention had served in the drafting of constitutional provisions on a broad range of basic rights and freedoms, although Slovenia's Constitution included even broader guarantees by extending them to all persons within its territory, irrespective of nationality and without any discrimination whatsoever.

10. The role and competence of the Ombudsman were set out in article 159 of the Constitution and in the Human Rights Ombudsman Act, on which the delegation was providing written information. The Ombudsman, whose duties were to protect human rights and fundamental freedoms against violations by State or local public officials, was elected by Parliament on the recommendation of the President, and was required to act in accordance with the provisions of the Constitution and the international human rights instruments. He was an

autonomous official, and could give recommendations and opinions to State and local bodies and public authorities, which were bound to consider them and respond within the deadline specified. The Ombudsman also submitted annual reports as well as special reports to Parliament, and State bodies were obliged to furnish him with all information required, irrespective of the level of confidentiality, and enable him to carry out his investigations.

11. Slovenia was now actively considering recognizing the competence of the Committee on the Elimination of Racial Discrimination under article 14 of the Convention, as it had done in the case of several other human rights bodies.

12. Mr. ZIDAR (Slovenia) said that article 4 of the Convention was deemed to be adequately reflected in both the Constitution and the various laws of the country.

13. Article 4 (a) of the Convention was covered by the Penal Code in article 141 protecting the right to equality; article 300 punishing incitement to ethnic, racial or religious hatred or dissemination of ideas on racial supremacy; and articles 373 and 378 incriminating genocide or complicity in and incitement to genocide. The Constitution explicitly prohibited incitement to racial discrimination, hatred or intolerance, and any individual could seek redress from the Constitutional Court.

14. In relation to article 4 (b) of the Convention, the Constitutional Court could declare unconstitutional, annul and prohibit particular acts of a political party, and disband the party. Under the Societies Act, associations which incited to ethnic, racial or religious hatred, inequality or intolerance ceased to exist, upon termination by administrative order.

15. Article 4 (c) of the Convention was reflected in article 141 of the Penal Code, which made it a crime for a public official to violate the right to equality; and in cases where the perpetrators had not been brought before the courts, a public prosecutor could order them to be tried under the Misdemeanours Act instead.

16. Article 68 of the 1992 Constitution had prohibited the acquisition of real estate by non-nationals except when acquired through inheritance or where there was a reciprocity of rights, the thinking being that Slovenia, as a relatively small State, was entitled to protect its territorial integrity. However, the 1999 Association Agreement that Slovenia had subsequently signed with the European Union committed it to granting property rights, on the basis of reciprocity, to European Union citizens on certain conditions. Article 68 of the Constitution had had to be amended accordingly and now granted all non-nationals, and not simply European Union citizens, the right to acquire real estate as determined by statute or by international agreement in cases where reciprocity of rights was recognized by the other State.

17. Mr. KOMAC (Slovenia), referring to the protection of minorities, said that the 3,000 members of the Italian minority and the 8,000 members of the Hungarian minority were protected by over 85 laws covering all fields of minority rights, such as the use of minority languages in various areas, including State and municipal administration, participation in political life, education, culture and even economic development. The new Republic of Slovenia had easily transplanted the already well-accepted model of minority protection existing under the 1974 Constitution into the new political reality. The cornerstone for the protection of

minorities as classically defined was the concept of ethnically mixed territory and the system of granting collective rights irrespective of numerical proportion. The collective rights of the ethnic communities depended on when and to what degree the individual members wished to exercise them. They were deemed to be owners of their cultural heritage and of the particular part of Slovenian territory that they inhabited. The implementation of their rights directly concerned the majority as well, as in the case of bilingual documents or the compulsory teaching of minority languages in the schools.

18. The answer to the question whether minorities were in a privileged position in Slovenia was both yes and no: yes if the legal situation of classical minorities were compared with that of new minorities, and no if the starting point of the State's obligation was to protect the heritage of minority communities as values of the Slovene State. Two different models of protection had existed for minorities since the so-called "new minorities" had arrived in the country, in particular between 1965 and 1985. Similarly, the creation of an independent State in 1991 had led to a radical change in the status of such groups. For example, migrants from the former Socialist Federal Republic of Yugoslavia bore all the hallmarks of a typical economic immigrant community. That population was predominately male and young, but suffered from low levels of education as a consequence of industrialization. It was therefore extremely difficult to expand the model of protection existing for traditional minorities to new groups. In reality, such a utopian ideal would mean that the whole of Slovenian territory would be both multilingual and multicultural, which was not currently the case.

19. The main problem was that there was very little experience of protecting the ethnic identities of the recently established communities. In the former Yugoslavia, children in the Slovene education system had been educated entirely in the national language, which meant that children from minority groups had been obliged to study in that language. Likewise, no cultural associations had existed for immigrant communities. Minority groups were currently in the process of internal consolidation and it was the State's responsibility to devise an adequate migrant policy. Legal citizenship was merely the first step towards becoming a member of society. Attempts were being made to preserve ethnic identities through the provision of cultural activities and language courses.

20. Ms. KLOPČIČ (Slovenia), responding to the questions raised regarding Roma, said that the status of that population was governed by the rule of law. With regard to official data on the number of Roma, she said that the largest number lived in central Slovenia and predominantly in industrial centres. It was difficult to assess the exact number of Roma for two reasons: firstly, legal regulation in respect of the right of all individuals to choose whether to declare their national identity, and secondly, in the case of minority groups that had been subordinated or marginalized in the past, the need to take into account the psychological motivation for the self-determination of individuals in any discussion of numbers and the interpretation of demographic and statistical data.

21. The word "integration" had been used only for Roma and not for other indigenous communities, since it was to be interpreted in the sense of social inclusion, contrary to the exclusion they had experienced in the past.

22. With reference to paragraph 64 of the country report, the word "consultations" referred to a seminar on Roma in Slovenia and Austria at which the issues of legal protection, education, employment and participation had been discussed. The wording of the Ombudsman's report quoted in paragraph 119 of the report was to be explained by the fact that in Slovenia almost all Roma settlements were built unlawfully. By decision of the Government in 1999, the Ministry for Environment would provide special funds for the regulation of such settlements, since municipal funds had been deemed insufficient for that purpose.

23. In relation to employment opportunities for Roma, a project had been launched to increase the number of people in regular work, which currently stood at 13 per cent. Details of the programme had been published on the Ministry of Labour Web site, and certain countries including Austria and Hungary had shown an interest in exchanging views on the subject. The main models used in the project were public work and more flexible private enterprises.

24. In terms of education, elementary school programmes had been adapted to the special needs of Roma children through the provision of textbooks and other equipment by the Ministry of Education and Sport. As to the Roma language, no standard written form existed in Slovenia, which meant that it was not recognized as an official language. On the subject of Roma participation in national bodies, only 96 Roma had established common representation at the national level, in the form of the Union of Roma Societies.

25. Finally, the media and NGOs played a very important role in improving the position of Roma in the sense that they were able to disseminate a more positive image of the group, which in turn should promote its own image in the eyes of others.

26. Ms. MAROLT (Slovenia), addressing the issue of temporary protection, said that at the end of 1991 Slovenia had witnessed a massive influx of refugees from Croatia and, in the following year, a much larger flow of refugees from Bosnia and Herzegovina, resulting in the establishment, in July 1992, of the Office of the Government of the Republic of Slovenia for Immigration and Refugees to deal with temporary asylum-seekers. At that time no special law had existed to define the legal status of individuals enjoying temporary protection. In fact, Slovenia had taken guidance from the Office of the United Nations High Commissioner for Refugees (UNHCR) Ex. Com. Conclusions Nos. 19 and 22, on the subject of how States should act in cases of large-scale influxes.

27. The Law on Temporary Protection had been adopted in April 1997. According to a UNHCR opinion, the return of Bosnian refugees was still impossible since their human rights could be violated and they were unable to obtain the necessary protection in their country of origin. The Slovenian Government believed that a time limit should be set for temporary protection. In any decision the Government would comply with the proposal made by the Commission responsible for justice and home affairs regarding a directive on temporary protection in the event of the massive influx of displaced persons. Such a ruling would limit the duration of temporary protection to a maximum of two years, preferably followed by a return to the country of origin. Since that was not possible in the case of Bosnian refugees, the Government was willing to grant them asylum on humanitarian grounds. They would also enjoy

the rights of refugees guaranteed by article 47 of the Law on Asylum. Persons enjoying temporary protection were not prevented from applying for other forms of residence. Refugees from Bosnia and Herzegovina had in fact converted their status in accordance with the relevant laws.

28. On the subject of the promotion of equal opportunities in relation to the integration of aliens and asylum-seekers, the Slovene Parliament had adopted a Resolution on Immigration Policy, which formed the basis for defining the role of Slovenia's immigration policy in Europe and the principle of burden-sharing, as well as providing a systematic approach to the regulation of the immigration and integration of aliens and refugees. According to article 5 of the Aliens Act, Parliament should adopt a resolution every two years. Moreover, pursuant to article 82 of the Act in question, Slovenia was obliged to take measures to ensure the inclusion of aliens in cultural, economic and social life. Similarly, aliens with permanent residence permits were fully integrated into the Slovene health and social security system.

29. The Law on Asylum defined the rights and duties of refugees and contained special measures for the protection of vulnerable groups such as unaccompanied minors, women, the elderly and the infirm. The Slovenian Government enjoyed very good relations with UNHCR and granted fundamental rights to refugees including basic housing and health care. In addition, according to the Law on Employment of Aliens, refugees had the same employment opportunities as Slovenian citizens. Until such time as refugees' rights were defined by legislation, the exercise of those rights was guaranteed by article 71 of the Law on Asylum and the decree on the implementation of the rights of aliens to whom refugee status had been granted since 1996.

30. With regard to the spelling of surnames, following the adoption of the Identity Card Act of 1997 Parliament had adopted an additional decision requiring national bodies to deal with the issues of the names of towns, settlements and streets, and of the letters of the alphabet used by the Hungarian and Italian national communities, according to the principle of bilingualism. The letter code of the Code Table Latin 2 was used for the Slovene and Hungarian languages, while the letter code of the Code Table Latin 1 was used for the Italian language. In addition to the basic code of 25 letters in the Slovene alphabet, the Slovene letter code also contained an additional letter code of foreign origin. In similar vein, article 74 of the Aliens Act stipulated that, during their stay on Slovenian territory, aliens must use their personal names in accordance with the regulations of their own countries.

31. With regard to NGO activities, a number of groups offered psychological and social assistance to refugees, together with cultural and sports activities for young people and adults. Those groups were financed by the Office for Immigration and Refugees or, in the case of the Helsinki Monitor for Slovenia by the Ministry of the Interior.

32. With reference to the training of police officers, those officers were obliged to act in accordance with the Code of Police Ethics. The police received special human rights training, which was organized in cooperation with UNHCR and involved activities on how to communicate with aliens and asylum-seekers, and how to act when making an arrest.

33. Mr. DIACONU said that the text of the national Penal Code appeared to meet the provisions of article 4 of the Convention, but should be circulated as it had not been included in the periodic report. On a different subject, the Committee very well understood the past and present political context in Slovenia and the need to preserve the cultural values and traditions of small minority groups. However, the basic criterion guiding the Committee was protection of the human rights of individuals. Where discrimination existed, that was obviously a subject of great concern to the Committee. Of similar concern was the fact that certain minorities were represented on the National Council, while others were not. That was clearly unsatisfactory. Referring to the question raised regarding the possible difference between the Serbian and Croatian languages and the Slovenian language, he said that, if there was no fundamental difference, then the minorities from those countries did have access to the culture of the majority, as they had done in the past.

34. In general terms, Slovenia was the best placed of the countries of the former Socialist Federal Republic of Yugoslavia to begin to resolve its problems.

35. Mr. RECHETOV (Country Rapporteur) welcomed the informative, frank responses provided and the clarifications given on the status of the Convention in the Slovene legal system and the position of minorities in the country. There were, however, outstanding issues, which would no doubt be resolved over time. He questioned the use by the delegation of the term "anthropological", which did not appear to be appropriate in the context of studies of ethnic groups. The dialogue had nevertheless been very constructive and he hoped it would continue.

36. He was somewhat concerned about the ideological purport of what appeared to be a preconceived view that relations with the Federal Republic of Yugoslavia, as opposed to the other countries of the former Yugoslavia, were impossible. Humanitarian concerns must surely be of overriding importance. Similarly, it was difficult to see the link between the sale of land and Slovenia's territorial integrity. If foreign nationals wished to live and work in Slovenia, they should be allowed to do so on certain conditions, such as permanent residence. Slovenia was a democratic country and looked forward to a bright future, and it was to be hoped that it could gradually overcome its problems in the spirit of the Convention.

37. Mr. ZORE (Slovenia), thanking Committee members for their comments, said that his delegation had not sought to paint an exclusively rosy picture. Certain problems remained to be resolved. In the course of the current debate, some misunderstandings had arisen over mere technicalities stemming notably from discrepancies in the use of language, as in the case of the term "anthropological". Likewise, it should be emphasized that in Slovania the term "integration" was interpreted in the sense of non-exclusion, rather than a melting pot.

38. His country had no preconceptions concerning the possibility of dealing with the Federal Republic of Yugoslavia. In fact, the Government of Slovenia had for nine years attempted to establish official relations - first diplomatic and later consular - with the Federal Republic of Yugoslavia, to no avail. The two Governments had opposing views concerning the break-up of the former Yugoslavia; Slovenia considered that all States emanating from the dissolution had equal rights as successors, while the Federal Republic of Yugoslavia considered that it alone could lay claim to that status, as the four others had seceded from the federation. Despite the lack of official relations between the two countries, there were still many personal and business

contacts between them, to the extent allowed under the sanctions regime. Mr. Rechetov's reference to a link between the sale of land and territorial integrity had perhaps resulted from a misunderstanding. There had been an unfounded but quite real fear among the population that membership of the European Union would result in a rush of land purchasers flooding Slovenia from wealthier member States. Similar fears had previously arisen in Denmark and Finland prior to entry. The issue was not territorial integrity, but rather the extent to which land would be owned by foreigners.

39. The CHAIRMAN commended the Slovenian delegation on the presentation of its report and the constructive and frank way in which it had replied to the Committee's questions.

40. The delegation of Slovenia withdrew.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 2) (continued)

Preliminary report of the working group on obsolete recommendations (CERD/C/365; CERD/C/57/Misc.5; Report of the working group on obsolete recommendations (document without a symbol, distributed at the meeting in French only))

41. Mr. de GOUTTES, speaking as convenor of the working group on obsolete recommendations, said that in the temporary absence of Mr. Banton, who had initially moved that such recommendations should be withdrawn, the report circulated to the Committee was a very tentative, preliminary document, the aim of which was simply to initiate a discussion among the Committee members with a view to facilitating a decision later in the session.

42. The working group believed it would be not be desirable to withdraw completely the general recommendations that were considered obsolete, and favoured the insertion of explanatory footnotes instead. Such general recommendations were an integral part of the Committee's doctrine and history, and could be a valuable resource for historians, jurists and researchers. It also felt that the Guidelines contained in CERD/C/70/Rev.4 should be brought up to date by adding references to the various relevant general recommendations and by deleting the request for information concerning relations with the racist regime in southern Africa from the section on article 3. Lastly, the compilation of general recommendations should be amended to include a list of the Committee's pertinent decisions.

43. Mr. ABOUL-NASR said that if the Committee were to maintain obsolete general recommendations for the sake of historians and researchers the result would be a voluminous body of documentation that would not be pertinent to its current work. The only way to consider their withdrawal effectively was by examining them one by one. Perhaps the Committee should defer its consideration of the question until Mr. Banton returned.

44. Mr. BOSSUYT expressed concern about wasting time by discussing the question twice over.

45. Mr. FALL, speaking as a member of the working group, supported Mr. de Gouttes' proposal. There was nothing preventing the Committee from considering the matter in Mr. Banton's absence. The withdrawal of documents would eliminate them from the Committee's collective conscience. The Committee had evolved over time, and new members would need to be aware of that evolution.

46. Mr. SHAHI said that some of the older recommendations were not obsolete per se, but merely contained outdated clauses, such as those related to apartheid. It was important to retain even those general recommendations that were obsolete, as they showed how the Committee's jurisprudence had evolved.

47. Mr. de GOUTTES said that it might be useful to draw up a document on the Committee's doctrine and the development of its jurisprudence with a view to circulating it at the forthcoming World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

48. Mr. PILLAI said that, in order to keep the compilation from becoming excessively voluminous, the obsolete general recommendation numbers could be maintained without their full texts. Footnotes could then be introduced to explain that those recommendations had been deleted, with specific references to facilitate the task of those who would like to read them.

49. Mr. VALENCIA RODRIGUEZ said he was in favour of awaiting Mr. Banton's return before considering the substance of the matter.

50. Mr. FALL suggested that the paper submitted by the working group should be sent to Mr. Banton so as to keep him abreast of the new proposals.

51. Mr. de GOUTTES agreed with the previous two speakers.

52. Mr. SHAHI agreed that the working group's conclusions could be communicated to Mr. Banton. General Recommendation III on racist regimes in southern Africa was arguably obsolete but General Recommendations I and VII on the implementation of article 4, General Recommendation II on the obligation of States to provide information on measures adopted to give effect to the Convention and General Recommendation IV on the need to provide demographic information continued to be important elements in the Committee's jurisprudence. The only obsolete paragraph in General Recommendation VII was the second preambular paragraph which referred to the work of the Committee only up until 1985.

53. Mr. de GOUTTES added that General Recommendation X concerning training courses and workshops for those involved in the preparation of State party reports also still seemed relevant.

54. The CHAIRMAN said he would send a copy of the working group's report to Mr. Banton and invite him to communicate his reaction to the Committee if he so desired prior to his arrival.

Press release concerning the thematic discussion on the question of discrimination against Roma (document distributed at the meeting, without a symbol, in English only)

55. The CHAIRMAN drew attention to a draft press release on the forthcoming thematic discussion on the issue of discrimination against Roma and invited members to make any comments or amendments they thought necessary.

56. Mr. BOSSUYT suggested that in paragraph 5, line 2, the word "were" should be changed to "are" and "the discussion" should be replaced by "this general discussion". At the end of paragraph 5, the words ", which will be open to the public." should be added. He also wondered whether in paragraph 4 the Committee should not limit NGO participants to NGOs having consultative status with the Economic and Social Council. Paragraph 3 should specify who the two members of the Sub-Commission for the Promotion and Protection of Human Rights were.

57. Mr. NOBEL suggested that the first paragraph should begin with "Seriously concerned by the plight of the Roma people in many countries,".

58. Mr. VALENCIA RODRIGUEZ expressed concern that no provision seemed to have been made for States parties to take the floor at the informal meeting.

59. The CHAIRMAN said that he was under the impression that the Committee had decided that only NGOs would speak at the informal meeting.

60. Mr. SHAHI agreed with the amendment suggested by Mr. Nobel and shared the concern expressed by Mr. Valencia Rodriguez, even though the Committee appeared to have agreed that only NGOs should take the floor during the informal meeting, in part because there would simply not be time for States parties to speak as well.

61. Mr. DIACONU agreed with the suggested amendments but stressed that the purpose of the informal meeting was to hear NGOs; States parties, which would undoubtedly attend, would request the floor only if attacked specifically. He suggested that paragraph 5 concerning attendance by States parties could be deleted and the words "States parties" inserted before "many non-governmental organizations" in paragraph 4.

62. The CHAIRMAN said that it should be determined whether the floor should be given to a State party during the informal meeting if it demanded a right of reply in response to an attack from an NGO.

63. Mr. BOSSUYT recalled that the Committee had concluded that States parties should not be invited to speak; in an informal meeting there were no rules of procedure, rights of reply or any requirement to give the floor to States parties. The latter could of course attend, which was why the final paragraph should state that the meetings would be public, but there was no need to mention States parties separately.

64. Mr. VALENCIA RODRIGUEZ said that in both the formal and informal meetings, which representatives of States parties would be attending, the Chairman could hardly refuse to give the floor to any of them that so requested.

65. The CHAIRMAN said that the question concerned the informal meeting only, since the Committee had already decided that neither NGOs nor States parties would have the right to speak at the formal meetings.

66. Mr. FALL confirmed the latter point concerning the formal meetings; the informal meeting should be focused more on an exchange of views with NGOs

67. Mr. de GOUTTES said that it would be preferable to delete paragraph 5 altogether and avoid mentioning States parties specifically. All interested NGOs should also be invited since only two of them enjoyed consultative status with the Economic and Social Council. If a State party felt attacked and demanded a right of reply it would be up to the Chairman to decide whether or not the circumstances justified granting the request.

68. Mr. NOBEL suggested that if he felt that an NGO was being provocative or attacking a State party, the Chairman would be within his rights to interrupt the speaker and thereby avoid finding himself in a position where a State party might demand the right of reply.

69. Mr. DIACONU agreed with the suggested amendments and stressed that the press release was simply meant to announce the holding of the event and not to be too specific so as to avoid all possible procedural problems.

70. Mr. FALL suggested that at the beginning of the meeting the Chairman might impress on participants that the purpose of the meeting was not to indulge in attacks on any State party but rather to make a positive contribution to the debate on the situation of the Roma.

71. The CHAIRMAN agreed but said that that could also be made clear in the invitations to the non-governmental organizations. He asked Mr. Diaconu to prepare a revised press release to be distributed and discussed at the next meeting of the Committee.

The meeting rose at 1.10 p.m.